

**TREATMENT SERVICES**  
**Solicitation 2013/2014/2015**  
**Offerors' Conference**  
**July 16, 2012 - 10:00a.m.**

**I. Welcome/Introductions**

Kevin R. Mulcahy, Sr. USPO/DATS, opened the meeting, and introduced SUSPO Edwin Rodriguez, Jr., Billing Specialist Chris Delin, and Administrative Assistant Doreen Mulholland. Also in attendance were Sr. DCUSPO Cheryl Holmes and Sr. USPO Elisha Rivera. Kevin informed everyone that a summary of today's conference and the attendance log will be uploaded to our public website beginning next week. Kevin encouraged everyone to utilize our public website: **probation.sdnycourts.gov**, as each step of the solicitation process will be posted on the site, in addition to all RFPs.

**II. Catchment Areas**

A list of all catchment areas was distributed. Catchment areas were designed based on the location of our offender/defendant population.

**III. Nature of Blanket Purchase Order Agreements (BPA)**

Kevin stated that the RFP must be read carefully so that everyone is aware of changes, and of what is required when writing proposals.

EMQs are estimates of the frequency that services will be required. There is no guarantee in the EMQ; it is an "estimate." Kevin provided some background as to how we arrive at the EMQs, but stressed it is an estimate.

The EMQs reflect the combined, expected services from probation and pretrial. We arrive at EMQs by looking at the numbers from previous years, and by consultation with those SUSPOs and Specialists who use the services and understand the trends.

The EMQ found for a particular service in Section B represents the aggregate number, and will be shared by all potential vendors. For example, if there is an EMQ of 400, and if we give awards to 5 vendors, each can expect APPROXIMATELY 80 units per month.

Pursuant to our need to rotate referrals, we do our best to equally distribute referrals based upon the expenses to date.

When completing proposals, vendors need to be sure to include prices for all services listed in Section B for all 3 years. If we agree to do business, payment will be at the agreed upon price. The P-45 initiates agreement to pay for specific services for an individual, and for that individual only. There is no other obligation on the part of the Judiciary. Once the P-45 is received by the vendor, the agreement becomes an official contract to provide the requested service, as indicated on the P-45.

“No shows” should be built into the pricing for the services that vendors are required to provide to ensure compensation. Vendors are NOT permitted to bill separately for “no-shows”. Sessions lasting less than 16 minutes shall be treated as a “no-show” for the purpose of billing.

**Each potential offeror needs to read the RFP carefully. A successful vendor must meet all standards and provide all services listed in section B, as defined in Section C, to be determined technically acceptable.** Technically acceptable offers are ranked by cost, with the least expensive being our first choice, the next least expensive being our second choice (if there is a second choice), and so on.

#### **IV. Offerors’ Responses/Proposal Submission**

All proposals need to be either in the U. S. Courthouse or at the Woolworth Building no later than July 30, 2012, at 2:00 P.M. No proposal will be accepted if it is not in the building by this date/time. Electronic submissions will not be accepted.

The only services required are those indicated in Section B. Refer to Section C for detailed explanations of what the services identified in Section B consist of. Any agreement which may be issued will be for one year. Based upon the needs of the government, available funding, and satisfactory performance by the vendor, we will exercise our options to renew the agreements for option years 2014 and 2015.

#### **V. Teaming**

If a vendor is unable to provide **all** services required in a particular RFP, they are allowed to “team” or sub-contract with another individual(s) who can provide that particular service(s). For example: if a vendor is interested in providing co-occurring services, but is only qualified to provide substance abuse treatment, they may “team” with a mental health professional in order to meet the co-occurring requirements of the RFP.

## **VI. Review Process**

Proposals will be preliminarily reviewed by Kevin R. Mulcahy and Edwin Rodriguez, Jr., then by our review teams which are staffed by mental health and/or substance abuse supervisors and specialists, and some USPOs. Once that step is complete, the proposal will be returned to Kevin, for another level of review, and then passed on to Sr. DCUSPO Cheryl Holmes for her final approval. Some of the items we will look for include:

Vendors must have proper staff

Licenses, experience, etc.

Failure to provide required information will result in technically unacceptable rating and will eliminate the offer from further consideration.

Remember:

**Sr. DCUSPO final approval**

**Pass/Fail system of rating**

**We reserve the right to not adhere to number of vendors sought**

## **VII. Post-Award Administration**

Shortly after the issuance of awards, we hope to have business meeting for all the new vendors. Everything will be discussed in detail at that time, but one thing that needs to be emphasized now is that prompt acceptance of referrals is most important.

## **VIII. Questions**

It was noted that, inasmuch as this solicitation is a competitive process, it is of the utmost importance that the Probation Office maintain fairness for all candidates involved. This is why all offerors have the opportunity to ask questions in this public forum. In doing this, all potential vendors can benefit from the answers to all questions equally. This also means, specific questions may not be able to be responded to after this conference. Should there be a question worthy of answering to the entire group of potential vendors, that question and its answer will be posted publically to the solicitation page on our public website.

**In response to specific questions, Kevin and Ed explained the following:**

- The two criteria necessary to be awarded the contract are: technical acceptability (that is the vendor's ability to provide all services required in Section B of the corresponding solicitation) & lowest price.
- Vendors must meet ALL requirements in the RFP in order to be "technically acceptable."
- Potential vendors need to submit separate proposals for each solicitation.

- Vendors can submit as many RFPs as they are qualified for - as long as the physical location from which the services are to be delivered is located within the detailed catchment area in section B, and they can provide all services required in Section B from that location.
- Potential vendors need to be aware of section L, which provides guidelines for completing the RFP and what needs to be submitted. (For Example, the vendor need not submit section C with their submission).
- **The issue of EMQs was expanded upon. If an award is given to multiple vendors, the EMQ is shared by multiple vendors. For example, if the -EMQ is 500 and there are 5 vendors, each vendor can anticipate 100 units per month.** Submitting Vendors should also pay close attention to the “units” listed in Section B of the requested services. Each service may have a different measure of a “unit.” A “unit” may be based upon a tangible product as in one “assessment” or one “report.” Or a “unit” may be a measurement of time, as in “one day” or “30 minutes.” The EMQs listed are the number of estimated monthly “units” for whatever specific service it is associated with.
- At this time, there is no mechanism in place to compensate for additional services over and above the services required in Section B. If the service is not listed in Sec. B of the RFP, we will not be able to provide compensation. Vendors may chose to include description of these services in their narrative sections for informational purposes only. These additional services **will not be weighed** in making an award determination.
- **Medicaid, private insurance and co-pay can and should all be considered as payment options. However, if an offender is not eligible for any, we will provide payment.**
- Vendors are required to provide credentials for all new staff.
- **The Administrative Fee (1501) for the Defendant/Offender Reimbursement/Co-pay was accidentally omitted from the RFPs. However, 1501 will be included in the Delivery Orders, which is included in the award packages.**
- With regard to NIDT Drug testing, vendors’ “secondary” drug screen for “inconclusive” NIDT results would be to send the specimen to the National Lab for confirmation.
- Vendors are required to provide credentials for all new staff.
- “Teaming” vendors are to provide **ONE**, unified bill every month for all services rendered under each solicitation.